

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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INFOSYS LIMITED, :
: Plaintiff : 1:21-cv-04372-GHW
: :
: -v - : ORDER
: :
WHITTE MANAGEMENT, INC., :
: Defendant :
: :
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GREGORY H. WOODS, United States District Judge:

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ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/16/2022

WHEREAS, this action was commenced on May 14, 2021, when Plaintiff Infosys Limited (“Infosys”) filed an initial pleading in this action against Defendant Whittle Management, Inc. (“Whittle”), styled as a Petition to Compel Arbitration Pursuant to Section 4 of the Federal Arbitration Act (the “Petition,” Dkt. No. 1);

WHEREAS, the Summons for the Petition was issued on May 17, 2021 (Dkt. No. 5);

WHEREAS, Whittle was served with copies of both the Summons and the Petition on May 17, 2021 as set forth in the Affidavit of Service (Dkt. No. 6) filed with this Court;

WHEREAS, Whittle failed to serve an answer or other responsive pleading or otherwise request an extension of time within which to respond to the Petition;

WHEREAS, the Clerk accordingly issued a Certificate of Default (Dkt. No. 11) for Whittle on June 17, 2021;

WHEREAS, Infosys moved for leave to amend its initial pleading into an Amended Complaint, which the Court granted on October 27, 2021 (the “Order,” Dkt. No. 21);

WHEREAS, Infosys filed its amended pleading, styled as an Amended Complaint (Dkt. No. 23, the “Amended Complaint”) with Exhibits 1 through 5, a copy of which was served on October 29, 2021 (Dkt. No. 26);

WHEREAS, Whittle has failed to serve an answer or other responsive pleading or otherwise request an extension of time within which to respond to the Amended Complaint;

WHEREAS, Infosys requested and the Clerk issued the Certificate of Default on November 19, 2021 (Dkt. No. 29); and

WHEREAS, to this day, Whittle has failed to serve an answer or other responsive pleading or otherwise request an extension of time within which to respond to the Amended Complaint

NOW THEREFORE, upon the Order to Show Cause Without Emergency Relief issued by this Court on January 20, 2022 (Dkt. No. 34), the Declaration of Christopher Pendleton, dated January 19, 2022, in Support of Order to Show Cause for Entry of Default Judgment Against Whittle Management, Inc. and the exhibits attached thereto (Dkt. No. 31); the accompanying Memorandum of Law in Support Default Judgment Against Whittle Management, Inc. (Dkt. No. 32); and the Supplemental Declaration of Christopher Pendleton, dated March 15, 2022, in Further Support of Order to Show Cause for Entry of Default Judgment Against Whittle Management, Inc. and the exhibit attached thereto (Dkt. No. 45); and upon all prior papers and proceedings heretofore had herein, it is:

ORDERED, ADJUDGED AND DECREED that judgment be entered pursuant to Rule 55(b) of the Federal Rules of Civil Procedure and Local Civil Rule 55.2(b) against Defendant Whittle Management, Inc., and in favor of Plaintiff Infosys Limited, on Count I of its Amended Complaint (Dkt. No. 23) in this action as follows:

- a. Damages in the sum of \$1,545,854.08 for the principal amount owed to Infosys;
- b. Prejudgment interest accruing at the parties' agreed upon contractual rate of twelve percent (12%) per annum through the date of entry of judgment in this

action, totaling \$321,344.77 as of January 19, 2022, and increasing \$508.00 per diem, for a total of \$349,792.77 as of the date of this judgment;

- c. Reasonable costs totaling \$1,263.44; and
- d. Post-judgment interest at the rate set forth in 28 U.S.C. § 1961.

IT IS FURTHER ORDERED that service of a copy of this Judgment, together with the declaration, exhibits, memorandum and other materials filed by Plaintiff Infosys Limited in connection therewith, upon Defendant Whittle Management, Inc. via its registered agent, Corporation Service Company, 251 Little Falls Drive, Wilmington, DE 19808 (by overnight mail) and via Joe Keeney, its Global Director of Operations, and Raymond Bordwell, its Global Head of Architecture and Construction (via email transmission), on or before 5:00 p.m. on March 17, 2022, shall be deemed good and sufficient service thereof; and

The Clerk of the Court is hereby instructed to enter this Default Judgment by Default against Defendant Whittle Management, Inc. forthwith and without further notice. The Clerk of Court is also directed to send a copy of this Default Judgment to Defendant by first class mail.

SO ORDERED.

Dated: March 16, 2022
New York, New York



GREGORY H. WOODS
United States District Judge